

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

AUG 13 2004

LEONARD GREEN, Clerk

04 AUG 20 AM 9:30

DAVID BILLUPS,

Petitioner-Appellant,

v.

PAT HURLEY,

Respondent-Appellee.

1:01CV 731

ORDER

Before: KEITH, MARTIN, and ROGERS, Circuit Judges.

This matter is before the court upon receipt from the appellee of a suggestion of death of the appellant on May 27, 2004. See Fed. R. App. P. 43(a)(1).

It is ordered that this habeas corpus appeal is dismissed.

ENTERED BY ORDER OF THE COURT

Leonard Green
Clerk

